

Motion to Set Aside Default and Order (Small Claims / Landlord-Tenant)

(Form DC 99)

STATE OF MICHIGAN
JUDICIAL DISTRICTMOTION TO SET ASIDE DEFAULT
AND ORDER
(Small Claims / Landlord-Tenant)

CASE NO.

Court address

Court telephone no.

Plaintiff name, address, and telephone no.

v

Defendant name, address, and telephone no.

MOTION AND AFFIDAVIT

1. ☐ a. A default was entered against me on _____ for failure to ☐ answer. ☐ appear.
Date ☐ I was personally served with the default and a judgment has not been entered yet.
- ☐ b. A default judgment was entered against me on _____ for failure to ☐ answer. ☐ appear.
Date ☐ 21 days has not yet passed since default entered. Small Claims
☐ I was personally served with the default judgment. ☐ 10 days has not yet passed since default entered. Landlord-Tenant
- ☐ c. Bond in the amount of one month's rent \$ _____ is posted with the court.
2. I have good cause for my failure to appear/answer as follows: (explain the reasons)

3. My defense to the complaint has merit as follows: (specify the meritorious defense)

4. **I request** the default/default judgment be set aside in this case and, if required, I agree to appear on the date scheduled by the court to state my reasons for this request.

Signature

Subscribed and sworn to before me on _____, _____ County, Michigan.
Date

My commission expires: _____ Signature: _____

ORDER

IT IS ORDERED:

- ☐ 5. The motion is ☐ granted and the default/default judgment is set aside. ☐ denied.
Meritorious defense ☐ was ☐ was not established based on review.
- ☐ 6. A hearing on the motion is scheduled for _____ at _____ m.
Date
at _____ before _____
Location Judge/Magistrate
7. Other:

Date

Judge/Magistrate

STATE OF MICHIGAN JUDICIAL DISTRICT	MOTION TO SET ASIDE DEFAULT AND ORDER (Small Claims / Landlord-Tenant)	CASE NO.
--	--	----------

Plaintiff name

v

Defendant name

2. Reasons Continued.

3. Defense Continued.